

## BYLAW

The following words and terms, when used in this bylaw, shall have the following meanings, unless the context clearly indicates otherwise:

"College Matter" means any application, award, bid, claim, contract, license, proceeding, resolution of transaction made by, to, against, or with a county community college, or which requires any official action by the Board of Trustees or its officers or employees.

"College Trustee" means any person who is a member of the Board of Trustees.

"Interest" means any personal, financial, economic, property, or other concern amounting to a right, advantage, share of portion, coming either directly or indirectly to a Trustee singly, or in affiliation with any person or party as defined herein.

"Person or party" means any natural person, association, corporation, estate, partnership, proprietorship, trust or other legal entity.

## CODE OF ETHICS

- (1) A Trustee should devote time, thought, and study to the duties and responsibilities of a community college trustee so as to render effective and creditable service.
- (2) As an individual, a Trustee has no legal authority outside of the meetings of the Board and shall conduct himself or herself accordingly with college staff, local citizens, and all facets of the local community.
- (3) Important functions of the Board of Trustees are to establish the policies and goals of the institution and to audit the performance of the administration in the fulfillment of these policies and the progress toward the goals, but the educational program and the conduct of the college's business shall be left to the President and the President's staff.
- (4) No college Trustee shall accept from any person, directly or indirectly, or through his or her spouse or any member of his or her family, any gift, favor, service, employment, or any other thing of value under circumstances from which it might be reasonably inferred, or which he or she knows, or has reason to believe, that it is offered to him or her with intent to influence his or her public duties and responsibilities.
- (5) No college Trustee shall knowingly act in an official capacity, by voting or otherwise, on any college matter in which he or she has an interest.
- (6) Disclosure of the precise nature of the interest or involvement, at the first knowledge of the transaction, shall be required in the event that a Board must consider any college matter which also involves:
  - a. A member of the Board of the College or a member of his or her family  
(defined as spouse, parents, siblings, or children); and/or
  - b. An organization with which a member of the Board of the college is affiliated.
- (7) Disclosure shall be further required of Board members concerning all relationships and business affiliations that reasonably could give rise to a conflict of interest involving the institution.
- (8) No college Trustee shall act as an officer or agent of the college for the transaction of any business with himself or herself, or in which he or she has an interest.

- (9) No college Trustee shall willfully disclose to any person or party for pecuniary gain any information not generally available to members of the public which he or she receives or acquires in the course of his or her official duties.
- (10) No college Trustee shall have any interest, financial or otherwise, direct or indirect, or engage in any business or transaction or professional activity which might reasonably be expected to impair his or her objectivity or independence of judgment, or which is otherwise in substantial conflict with the proper discharge of his or her duties in the public interest.
- (11) No college Trustee shall use or attempt to use his or her official position to secure unwarranted privileges or advantages for himself or herself or others.
- (12) No college Trustee shall act in his or her official capacity in any matter wherein he or she has a direct or indirect interest that might reasonably be expected to impair his or her objectivity or independence of judgment.
- (13) The provisions of Executive Order No. 65 signed by Governor Richard J. Codey on November 5, 2005 are incorporated herein and made part of this code of ethics.
  - (a) Neither the President or a member of the Board of Trustees, nor any member of the immediate family of such official, shall do business, directly or indirectly, with the institution that they govern or by which they are employed. For purposes of this Order, "member of the immediate family" shall mean the official's spouse, child, parent or sibling residing in the same household.
  - (b) The prohibitions in paragraphs (a) shall also apply to any firm, association or partnership by which the President or Trustee is employed, from which the President or Trustee receives compensation, or of which the President or Trustee owns or controls more than one percent of the profits or assets of that firm, association or partnership. Such prohibitions shall also apply to shareholders, associates or professional employees of a professional service corporation regardless of the extent or amount of their shareholder interest in such a corporation.
  - (c) The President or any Trustee who is currently involved in a business relationship that is prohibited by this Order shall be given 30 days to terminate the prohibited business relationship or to resign from public office. Failure to comply with the terms of this Order shall constitute good cause for the removal from employment or office of the President or Trustee.
  - (d) The Executive Director of the Executive Commission on Ethical Standards is hereby authorized to grant an exception from the terms of this Order if, in the judgment of the Executive Director, the entity that employs, provides compensation or is owned in part by the Trustee is one with which Ocean County College may contract with pursuant to N.J.S.A. 52:13D-19 and N.J.S.A. 52:34-10, or where the public interest requires that an exception be made.